

REMARKS

Claims 1-25 and 42-54 are to be pending in this application, after entry of this amendment.

Claims 1-25 and 42-54 were rejected under the judicially created doctrine of double patenting over U.S. Patent No. 6,659,581. Claims 1-4, 8-15, 42-46, and 49-54 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Miller et al.* (EP 0 674 993 A2 hereinafter *Miller*) in view of *Imanaka et al.* (U.S. Patent No. 6,116,714 hereinafter *Imanaka*). Applicant respectfully traverses and requests reexamination.

Rejection Under Judicially Created Doctrine of Double Patenting

Applicant submits herewith a terminal disclaimer in compliance with 37 C.F.R. §1.321(c) to overcome the rejection based on a nonstatutory double patenting ground. The terminal disclaimer indicates that this application and U.S. Patent No. 6,659,581 are commonly owned by Hewlett-Packard Development Company, L.P.

Rejection Under 35 U.S.C. §103(a)

Independent Claim 1

The rejection of claim 1 should be withdrawn as *Miller* in view of *Imanaka* fail to teach or suggest all the recitations of claim 1 and therefore does not render obvious claim 1.

Focusing now on the specific recitations of claim 1 and the inadequacies of *Miller* in view of *Imanaka*, claim 1 has been amended to recite: “An inkjet printhead comprising fire pulse generator circuitry responsive to a start fire signal to generate a plurality of fire signals, each having a series of fire pulses, by controlling the initiation and duration of the fire pulses, wherein at least two fire pulses have a different duration, wherein each fire pulse controls timing and activation of electrical current through selected firing resistors to thereby control ejection of ink drops from the nozzles.” (Emphasis added).

The Office Action acknowledges the inadequacy of *Miller* to disclose a plurality of fire signals, each having a series of fire pulses, and by controlling the initiation and duration of the fire pulses. Consequently, *Miller* also fails to disclose at least two fire pulses having different durations as recited in amended claim 1.

Similarly, *Imanaka* fails to disclose at least two fire pulses having different durations. In fact, *Imanaka* requires that the pulses have a constant pulse width (*Imanaka*, column 12, lines 37-40). *Imanaka* also requires that the amount of ink discharged from each nozzle be the same at all times (*Imanaka*, column 13, lines 3-4). This makes it possible to print a very high-quality image without the occurrence of uneven density or streaks (*Imanaka*, column 13, lines 4-6). Therefore, the inadequacy of *Miller* is not satisfied by *Imanaka* because neither of these references teach or suggest at least two fire pulses having different durations. Furthermore, even if the proposed combination was taught, suggested or motivated by the cited art, which it is not, the combination would still be inadequate to disclose all the features of amended claim 1 to render claim 1 unpatentable. Accordingly, the rejection of claim 1 should be withdrawn.

Independent Claims 14, 19, 23 and 42

Claims 14, 19, 23 and 42 have been amended in a similar manner as claim 1. Therefore, for similar reasons as discussed above for claim 1, the rejection of claims 14, 19, 23 and 42 should be withdrawn.

Dependent Claims 2-13, 15-18, 20-22, 24, 25 and 43-54

Claims 2-13, 15-18, 20-22, 24, 25 and 43-54 depend from independent claims 1, 14, 19, 23 and 42. All of these dependent claims define the inkjet printhead with greater particularity and thus further distinguish over *Miller*, *Imanaka*, and the other references of record. For this reason, and for the reasons set forth above with respect to independent claim 1, the rejection of these dependent claims should be withdrawn.

Conclusion

In view of the amendments and remarks, it is respectfully submitted that all the pending claims are in condition for allowance, and such action is earnestly solicited.

If the Examiner believes an interview would be helpful to advance this case, he is invited to contact the undersigned attorney.

Respectfully submitted,

SNELL & WILMER L.L.P.

I hereby certify that this document is being deposited on August 4, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. § 1.8 and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Rachel Carter



Signature



Ketan S. Vakil
Registration No. 43,215
1920 Main Street
Suite 1200
Irvine, CA 92614-7230
Telephone: (949) 253-4905

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